

Michelle Bholat, M.D., Chair
Panel B

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 EMILY L. BRINKMAN
Deputy Attorney General
4 State Bar No. 219400
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5742
6 Facsimile: (415) 703-5843
E-mail: Emily.Brinkman@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2016-025274

13 **RITA ELAINE STARRITT, M.D.**
5721 La Jolla Hermosa Ave.
La Jolla, CA 92037-7330

OAH No. 2017040125

14 **Physician's and Surgeon's Certificate No.**
15 **C54648**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
21 of California (Board). She brought this action solely in her official capacity and is represented in
22 this matter by Xavier Becerra, Attorney General of the State of California, by Emily L. Brinkman,
23 Deputy Attorney General.

24 2. Respondent Rita Elaine Starritt, M.D. (Respondent) is represented in this proceeding
25 by attorney Michael J. Khouri, Esq., whose address is: Khouri Law Firm, 24012 Calle De La
26 Plata, Suite 210, Laguna Hills, CA 92653.

27 3. On or about April 13, 2011, the Board issued Physician's and Surgeon's Certificate
28 No. C54648 to Rita Elaine Starritt, M.D. (Respondent). The Physician's and Surgeon's Certificate

1 was in full force and effect at all times relevant to the charges brought in Accusation No. 800-
2 2016-025274, and will expire on February 28, 2017, unless renewed.

3 4. On or about May 1, 2015, the Board issued a Public Reprimand to Respondent in
4 Accusation No. 800-2014-008302 and required Respondent to complete a prescribing practice
5 course and medical record keeping course.

6 **JURISDICTION**

7 5. Accusation No. 800-2016-025274 was filed before the Board, and is currently
8 pending against Respondent. The Accusation and all other statutorily required documents were
9 properly served on Respondent on October 17, 2016. Respondent timely filed her Notice of
10 Defense contesting the Accusation.

11 6. A copy of Accusation No. 800-2016-025274 is attached as exhibit A and incorporated
12 herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 7. Respondent has carefully read, fully discussed with counsel, and understands the
15 charges and allegations in Accusation No. 800-2016-025274. Respondent has also carefully read,
16 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
17 Disciplinary Order.

18 8. Respondent is fully aware of her legal rights in this matter, including the right to a
19 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
20 the witnesses against her; the right to present evidence and to testify on her own behalf; the right
21 to the issuance of subpoenas to compel the attendance of witnesses and the production of
22 documents; the right to reconsideration and court review of an adverse decision; and all other
23 rights accorded by the California Administrative Procedure Act and other applicable laws.

24 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

26 **CULPABILITY**

27 10. Respondent admits the truth of each and every charge and allegation in Accusation
28 No. 800-2016-025274.

11. Respondent agrees that her Physician's and Surgeon's Certificate is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

12. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. C54648 issued to Respondent Rita Elaine Starritt, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

1. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism program, that meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1. Respondent shall participate in and successfully complete that program. Respondent shall

1 provide any information and documents that the program may deem pertinent. Respondent shall
2 successfully complete the classroom component of the program not later than six (6) months after
3 Respondent's initial enrollment, and the longitudinal component of the program not later than the
4 time specified by the program, but no later than one (1) year after attending the classroom
5 component. The professionalism program shall be at Respondent's expense and shall be in
6 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

7 A professionalism program taken after the acts that gave rise to the charges in the
8 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
9 or its designee, be accepted towards the fulfillment of this condition if the program would have
10 been approved by the Board or its designee had the program been taken after the effective date of
11 this Decision.

12 Respondent shall submit a certification of successful completion to the Board or its
13 designee not later than 15 calendar days after successfully completing the program or not later
14 than 15 calendar days after the effective date of the Decision, whichever is later.

15 2. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the
16 solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice
17 where: 1) Respondent merely shares office space with another physician but is not affiliated for
18 purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that
19 location.

20 If Respondent fails to establish a practice with another physician or secure employment in
21 an appropriate practice setting within 60 calendar days of the effective date of this Decision,
22 Respondent shall receive a notification from the Board or its designee to cease the practice of
23 medicine within three (3) calendar days after being so notified. The Respondent shall not resume
24 practice until an appropriate practice setting is established.

25 If, during the course of the probation, the Respondent's practice setting changes and the
26 Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent
27 shall notify the Board or its designee within five (5) calendar days of the practice setting change.
28 If Respondent fails to establish a practice with another physician or secure employment in an

1 appropriate practice setting within 60 calendar days of the practice setting change, Respondent
2 shall receive a notification from the Board or its designee to cease the practice of medicine within
3 three (3) calendar days after being so notified. The Respondent shall not resume practice until an
4 appropriate practice setting is established.

5 3. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
6 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
7 advanced practice nurses.

8 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
9 governing the practice of medicine in California and remain in full compliance with any court
10 ordered criminal probation, payments, and other orders.

11 5. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
12 under penalty of perjury on forms provided by the Board, stating whether there has been
13 compliance with all the conditions of probation.

14 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
15 of the preceding quarter.

16 6. GENERAL PROBATION REQUIREMENTS.

17 Compliance with Probation Unit

18 Respondent shall comply with the Board's probation unit.

19 Address Changes

20 Respondent shall, at all times, keep the Board informed of Respondent's business and
21 residence addresses, email address (if available), and telephone number. Changes of such
22 addresses shall be immediately communicated in writing to the Board or its designee. Under no
23 circumstances shall a post office box serve as an address of record, except as allowed by Business
24 and Professions Code section 2021(b).

25 Place of Practice

26 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
27 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
28 facility.

1 License Renewal

2 Respondent shall maintain a current and renewed California physician's and surgeon's
3 license.

4 Travel or Residence Outside California

5 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
6 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
7 (30) calendar days.

8 In the event Respondent should leave the State of California to reside or to practice
9 ,Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
10 departure and return.

11 7. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
12 available in person upon request for interviews either at Respondent's place of business or at the
13 probation unit office, with or without prior notice throughout the term of probation.

14 8. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
15 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
16 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
17 defined as any period of time Respondent is not practicing medicine as defined in Business and
18 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
19 patient care, clinical activity or teaching, or other activity as approved by the Board. If
20 Respondent resides in California and is considered to be in non-practice, Respondent shall
21 comply with all terms and conditions of probation. All time spent in an intensive training
22 program which has been approved by the Board or its designee shall not be considered non-
23 practice and does not relieve Respondent from complying with all the terms and conditions of
24 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
25 on probation with the medical licensing authority of that state or jurisdiction shall not be
26 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
27 period of non-practice.

28 In the event Respondent's period of non-practice while on probation exceeds 18 calendar

1 months, Respondent shall successfully complete the Federation of State Medical Boards' Special
2 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
3 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
4 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

5 Respondent's period of non-practice while on probation shall not exceed two (2) years.

6 Periods of non-practice will not apply to the reduction of the probationary term.

7 Periods of non-practice for a Respondent residing outside of California will relieve
8 Respondent of the responsibility to comply with the probationary terms and conditions with the
9 exception of this condition and the following terms and conditions of probation: Obey All Laws;
10 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
11 Controlled Substances; and Biological Fluid Testing.

12 9. COMPLETION OF PROBATION. Respondent shall comply with all financial
13 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
14 completion of probation. Upon successful completion of probation, Respondent's certificate shall
15 be fully restored.

16 10. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
17 of probation is a violation of probation. If Respondent violates probation in any respect, the
18 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
19 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
20 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
21 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
22 the matter is final.

23 11. LICENSE SURRENDER. Following the effective date of this Decision, if
24 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
25 the terms and conditions of probation, Respondent may request to surrender his or her license.
26 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
27 determining whether or not to grant the request, or to take any other action deemed appropriate
28 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent


1 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
2 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
3 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
4 application shall be treated as a petition for reinstatement of a revoked certificate.

5 12. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
6 with probation monitoring each and every year of probation, as designated by the Board, which
7 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
8 California and delivered to the Board or its designee no later than January 31 of each calendar
9 year.

10 ACCEPTANCE

11 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
12 discussed it with my attorney, Michael J. Khouri, Esq.. I understand the stipulation and the effect
13 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
14 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
15 Decision and Order of the Medical Board of California.

16
17 DATED: 5.5.12


RITA ELAINE STARRITT, M.D.
Respondent

19 I have read and fully discussed with Respondent Rita Elaine Starritt, M.D. the terms and
20 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
21 I approve its form and content.

22
23 DATED: 5-13-17


MICHAEL J. KHOURI, ESQ.
Attorney for Respondent

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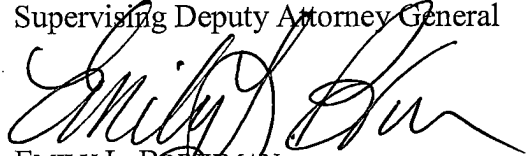
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: *May 15, 2017*

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General


EMILY L. BRICKMAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2016-025274

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO October 17 20 16
BY R. Firdaus ANALYST

1 KAMALA D. HARRIS
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 EMILY L. BRINKMAN
Deputy Attorney General
4 State Bar No. 219400
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5742
6 Facsimile: (415) 703-5843
E-mail: Emily.Brinkman@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 800-2016-025274

12 **RITA ELAINE STARRITT, M.D.**
5721 La Jolla Hermosa Ave.
13 La Jolla, CA 92037-7330

A C C U S A T I O N

14 **Physician's and Surgeon's Certificate**
15 **No. C54648,**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about April 13, 2011, the Medical Board issued Physician's and Surgeon's
24 Certificate Number C54648 to Rita Elaine Starritt, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein
26 and will expire on February 28, 2017, unless renewed.

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4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

“The revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.”

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

"(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

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1 **CAUSE FOR DISCIPLINE**

2 **(Discipline, Restriction, or Limitation Imposed by Another Jurisdiction)**

3 7. On July 14, 2016, the Colorado Medical Board (Colorado Board) issued a Stipulation
4 and Final Agency Order (Order) against Respondent. According to the Colorado Board Order,
5 Respondent testified under oath that she did not work for a particular weight loss clinic; however,
6 evidence at hearing directly contradicted Respondent, and demonstrated that she was in fact an
7 independent contractor for the weight loss clinic, and served as its Medical Director. As the
8 Medical Director, "Respondent delegated the provision of medical services to individuals not
9 licensed to practice medicine." On multiple occasions, Respondent refused to provide the
10 Colorado Board with specific information and documentation of the qualifications of the people
11 to whom she delegated responsibility. The Colorado Board issued a Letter of Admonition to
12 Respondent and placed her on probation for five years. As part of the Order, Respondent is
13 required to complete the Professional/Problem Based Ethics Program. Copies of the Colorado
14 Board's Order are attached as Exhibit A.

15 8. Respondent's conduct and the action of the Colorado Board as set forth in paragraph
16 7, above, and within the Colorado Board documents, constitutes unprofessional conduct within
17 the meaning of section 2305 and conduct subject to discipline within the meaning of section
18 141(a).

19 **DISCIPLINARY CONSIDERATIONS**


20 9. To determine the degree of discipline, if any, to be imposed on Respondent Rita
21 Elaine Starritt, M.D., Complainant alleges that on or about May 1, 2015, in a prior disciplinary
22 action entitled In the Matter of the Accusation Against Rita Elaine Starritt, M.D. before the
23 Medical Board of California, in Case Number 800-2014-008302, the Board issued a Public
24 Reprimand to Respondent based on the Colorado Board's issuance of a Public Admonishment to
25 Respondent based on her medical marijuana recommendations. As part of the Public Reprimand,
26 the Board also required Respondent to complete a Prescribing Practice Course and Medical
27 Record Keeping Course. That decision is now final and is incorporated by reference as if fully set
28 forth herein.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number C54648, issued to Rita Elaine Starritt, M.D.;
2. Revoking, suspending or denying approval of Rita Elaine Starritt, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;
3. Ordering Rita Elaine Starritt, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: October 17, 2016


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SF2016201568
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Exhibit A



BEFORE THE COLORADO MEDICAL BOARD
STATE OF COLORADO

CASE NO. 2014-2545-A

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE
LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF RITA
ELAINE STARRITT, M.D., LICENSE NUMBER DR-84886,

Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A
("Panel") of the Colorado Medical Board ("Board") and Rita Elaine Starritt, M.D.
("Respondent") (collectively, the "Parties") as follows:

JURISDICTION AND CASE HISTORY

1. Respondent was licensed to practice medicine in the state of Colorado on October 12, 1995 and was issued license number DR-34886, which Respondent has held continuously since that date.
2. The Panel and the Board have jurisdiction over Respondent and over the subject matter of this proceeding.
3. On November 18, 2015, the Panel reviewed case number 2014-2545-A and determined that further proceedings by formal complaint were warranted pursuant to Section 12-36-118(4)(c)(IV), C.R.S. The Panel thereupon referred the matter to the Attorney General pursuant to Section 12-36-118(4)(c)(IV), C.R.S.
4. It is the intent of the parties and the purpose of this Stipulation and Final Agency Order ("Order") to provide for a settlement of all matters set forth in case number 2014-2545-A, without the necessity of conducting a formal disciplinary hearing. This Order constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Order.
5. Respondent understands that:
 - a. Respondent has the right to be represented by an attorney of the Respondent's choice and Respondent is represented by counsel;

b. Respondent has the right to a formal complaint and disciplinary hearing pursuant to Sections 12-36-118(4)(c)(IV) and 12-36-118(5), C.R.S.;

c. By entering into this Order, Respondent is knowingly and voluntarily giving up the right to a formal complaint and disciplinary hearing, admits the facts contained in this Order, and relieves the Panel of its burden of proving such facts;

d. Respondent is knowingly and voluntarily giving up the right to present a defense by oral and documentary evidence and to cross-examine witnesses who would testify on behalf of the Panel; and

e. Respondent is knowingly and voluntarily waiving the right to seek judicial review of this Order.

FACTUAL BASIS

6. Respondent specifically admits and the Panel finds that:

a. In Office of Administrative Courts Case No. ME 2013-0008, Respondent testified under oath on May 5, 2014, as follows: "I don't work for [a particular weight loss clinic]. I rent space at that clinic. I am not an employee of them. I am not an independent contractor for them. That's just the name of the building."

b. Contrary to the above testimony, commencing no later than March 12, 2014, Respondent was an independent contractor for the weight loss clinic, serving as its Medical Director. She remained the Medical Director at all times relevant to this matter.

c. As the Medical Director of the weight loss clinic, Respondent delegated the provision of medical services to individuals not licensed to practice medicine and, therefore, was subject to the requirements of Colorado Medical Board ("CMB") Rule 800, 3 C.C.R. 713-30.

d. Pursuant to Section 12-36-118(4), C.R.S., the Panel informed Respondent on July 25, 2014, that the Board had "received concerning information regarding [her] conduct as a licensed physician, more specifically, a possible violation of the Medical Practice Act" relating to her delegation pursuant to CMB Rule 800. Respondent had "thirty days to answer or explain in writing the matters described in such complaint." § 12-36-118(4)(a)(I), C.R.S.

e. On August 25, 2014, Respondent submitted a response wherein she refused to answer or explain the matters described therein.

f. CMB Rule 800 requires that, "[u]pon request, the delegating physician must provide written documentation of the delegatee's qualifications to the Board." CMB Rule 800 § III(B).

g. On October 30, 2014, the Panel requested that Respondent provide such written documentation. In response, Respondent refused to supply the requested documentation.

h. On June 19 and July 15, 2015, Respondent was afforded two additional opportunities to provide the documentation, but refused.

7. Respondent admits and the Panel finds that the acts and/or omissions described in the factual basis above constitute unprofessional conduct pursuant to Section 12-36-117(1)(u) and (gg), C.R.S., which states:

(1) "Unprofessional conduct" as used in this article means:

* * *

(u) Violation of any valid board order or any rule or regulation promulgated by the board in conformance with law;

* * *

(gg) Failing to respond in an honest, materially responsive, and timely manner to a complaint issued pursuant to section 12-36-118(4)[.]

8. Based upon the above, the Parties stipulate that the terms of this Order are authorized by Section 12-36-118(5)(g)(III), C.R.S.

LETTER OF ADMONITION

9. This provision shall constitute a Letter of Admonition as set forth in Sections 12-36-118(4)(c)(III)(A) and 12-36-118(5)(g)(III), C.R.S. Respondent is hereby admonished for the acts and omissions described in the factual basis above.

10. By entering this Order, Respondent agrees to waive the rights provided by Section 12-36-118(4)(c)(III)(B), C.R.S., to contest this Letter of Admonition.

PROBATIONARY TERMS

11. Respondent's license to practice medicine is hereby placed on probation for five (5) years commencing on the effective date of this Order. All terms of probation shall be effective throughout the probationary period and shall constitute terms of this Order.

12. During the probationary period, Respondent agrees to be bound by the terms and conditions set forth below.

DELEGATION OF MEDICAL SERVICES PROHIBITED

13. During the probationary period, Respondent shall not have the authority to delegate pursuant to Section 12-36-106(3)(l), C.R.S., and Colorado Medical Board Rule 800 the rendering of medical services to a person who is not licensed to practice medicine. Rule 800 does not apply to health care providers who are licensed, registered, or certified by the state of Colorado and who are acting within their scope of practice.

14. During the probationary period, Respondent shall not have the authority to act as a primary supervisor of physician assistants pursuant to Colorado Medical Board Rule 400.

15. During the probationary period, Respondent shall not delegate the rendering of medical services to a physician assistant pursuant to Section 12-36-106(5), C.R.S., and Colorado Medical Board Rule 400, or act as a secondary supervisor to a physician assistant, except under the following circumstances: Respondent may delegate the rendering of medical services and act as a secondary supervisor to a physician assistant at a facility where Respondent holds privileges, but only to the extent such medical services are provided to an inpatient with whom Respondent has personally established a physician-patient relationship and only when Respondent is on site or on call at the facility and readily available to promptly see the patient in person if requested by the patient or facility.

ProBE ETHICS COURSE

16. Within one year of the effective date of this Order, Respondent shall successfully complete the Professional/Problem Based Ethics Program ("ProBE") conducted by the Center for Personalized Education for Physicians ("CPEP").

17. Respondent shall sign any and all releases necessary to allow CPEP to communicate with the Panel directly. Respondent shall not revoke such releases prior to successful completion and final assessment following completion of ProBE.

Any failure to execute such a release or any premature revocation of such a release shall constitute a violation of this Order.

18. In order to successfully complete ProBE, Respondent's participation must be rated by CPEP as an unconditional pass. The Panel in its discretion may impose further remedial coursework if the Respondent receives a conditional pass or negative assessment from CPEP.

19. Respondent shall provide proof of timely and successful completion of ProBE to the Panel within one year of the effective date of this Order.

TOLLING OF THE PROBATIONARY PERIOD

20. If at any time, Respondent ceases the active clinical practice of medicine, defined for the purposes of this Order as evaluating or treating a minimum of five patients per month in the state of Colorado, the probationary period shall be tolled for the time the Order is in effect and Respondent is not engaged in the active clinical practice of medicine.

21. Respondent must comply with all other terms of the Order and all other terms of probation. Unless otherwise specified, all terms of the Order and all terms of probation shall remain in effect, regardless of whether the probationary period has been tolled, from the effective date of this Order until probation is terminated. The probationary period shall be tolled for any time that Respondent is not in compliance with any term of this Order.

OUT OF STATE PRACTICE

22. At any time other than during a period of suspension imposed by this Order, and whether to practice out of state or for any other reason, Respondent may request, in writing, that the Board place Respondent's License on inactive status as set forth in Section 12-36-137, C.R.S. Respondent's request to place her license on inactive status must include written evidence that Respondent has reported this Order to all other jurisdictions in which Respondent is licensed or has applied to be licensed, as required by the "Other Terms" Section of this Order. Upon the approval of such request, Respondent may cease to comply with the terms of this Order. Failure to comply with the terms of this Order while inactive shall not constitute a violation of this Order. While inactive, Respondent shall not perform any act in the state of Colorado that constitutes the practice medicine, nor shall Respondent perform any act in any other jurisdiction pursuant to the authority of a license to practice medicine granted by the state of Colorado. Unless Respondent's License is inactive, Respondent must comply with all terms of this Order, irrespective of Respondent's location. The probationary period will be tolled for any period of time Respondent's License is inactive.

23. Respondent may resume the active practice of medicine at any time pursuant to written request and as set forth in Section 12-36-137(5), C.R.S.

TERMINATION OF PROBATION

24. Upon the expiration of the probationary period, Respondent may submit a written request for restoration of Respondent's license to unrestricted status. If Respondent has complied with the terms of probation, and if Respondent's probationary period has not been tolled, such release shall be granted by the Panel in the form of written notice.

OTHER TERMS

25. The terms of this Order were mutually negotiated and determined.

26. Both parties acknowledge that they understand the legal consequences of this Order; both parties enter into this Order voluntarily; and both parties agree that no term or condition of this Order is unconscionable.

27. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent, and shall in no way be the obligation of the Board or Panel.

28. If Respondent is licensed by any other jurisdiction, or has applied or later applies for a license in any other jurisdiction, Respondent shall report this Order to all other jurisdictions in which Respondent is licensed, or has applied or later applies for a license.

29. Respondent shall submit an update to her profile with the Healthcare Professions Profiling Program regarding this Order within thirty (30) days of the effective date of this Order.

30. During the probationary period or any period in which a physician is subject to prescribing restrictions, no physician shall perform an assessment of a patient's medical history and current medical condition, including a personal physical examination, for the purpose of concluding that a patient may benefit from the use of medical marijuana, recommending the use of medical marijuana or certifying a debilitating medical condition for an applicant to the Colorado Medical Marijuana Program. Respondent hereby understands and agrees that she shall not certify to the state health agency that a patient has a debilitating medical condition or that the patient may benefit from the use of medical marijuana.

31. Respondent shall obey all state and federal laws while the terms of this Order are in effect.

32. So that the Board may notify hospitals of this agreement pursuant to Section 12-36-118(13), C.R.S., Respondent presently holds privileges at or is employed by the following hospitals and facilities:

33. This Order and all its terms shall have the same force and effect as an order entered after a formal disciplinary hearing pursuant to Section 12-36-118(5)(g)(III), C.R.S., except that it may not be appealed. Failure to comply with the terms of this Order may be sanctioned by the Inquiry Panel as set forth in Section 12-36-118(5)(g)(IV), C.R.S. This Order and all its terms also constitute a valid board order for purposes of Section 12-36-117(1)(u), C.R.S.

34. This Order shall be admissible as evidence at any proceeding or future hearing before the Board.

35. Invalidity of any portion of this Order by judgment or court order shall in no way affect any other provision, which shall remain in full force and effect.

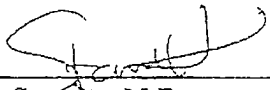
36. During the pendency of any action arising out of this Order, the terms of this Order shall be deemed to be in full force and effect and shall not be tolled.

37. Respondent acknowledges that the Panel may choose not to accept the terms of this Agreement and that if the Agreement is not approved by the Panel and signed by a Panel member or other authorized person, it is void.

38. This Order shall be effective upon (a) mailing by first-class mail to Respondent at Respondent's address of record with the Board, or (b) service by electronic means on Respondent at Respondent's electronic address of record with the Board. Respondent hereby consents to service by electronic means if Respondent has an electronic address on file with the Board.

39. Upon becoming effective, this Order shall be open to public inspection and shall be publicized pursuant to the Board's standard policies and procedures. This Order constitutes discipline against Respondent's license. Additionally, this Order shall be reported to the Federation of State Medical Boards, the National Practitioner Data Bank and as otherwise required by law.

---THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK---



Rita Elaine Starritt, M.D.

THE FOREGOING was acknowledged before me this ____ day of
_____, 2016 by Rita Elaine Starritt, M.D. in the County of
_____, State of _____.

NOTARY PUBLIC

My commission expires

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Diego)

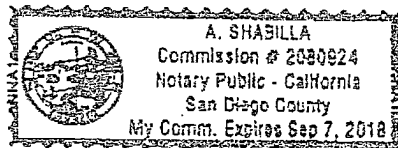
On July 11, 2016 before me, A. Shabilla Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Rita Elaine Starritt
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Stipulation and Final Agency Order
Document Date: July 11, 2016 Number of Pages: 11

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

THE FOREGOING Stipulation and Final Agency Order is approved this 14th
day of July, 2016.

FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL A

Brock M. Bordelen, M.D.
Chair, Inquiry Panel A

THE FOREGOING Stipulation and Final Agency Order is effective upon
service to Respondent, on July 14, 2016.

Lisa E. Jackson

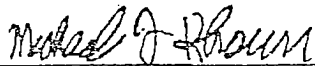
APPROVED AS TO FORM:

FOR THE RESPONDENT
RITA ELAINE STARRITT, M.D.

FOR THE COLORADO MEDICAL
BOARD

KHOURI LAW FIRM

CYNTHIA H. COFFMAN
Attorney General



Michael J. Khouri
4040 Barranca Parkway
Suite 280
Irvine, CA 92604
Telephone: 949-636-2433
FAX: 949-387-0044
mkhouri@khourilaw.com

Scott Bowman*
Assistant Attorney General
Business and Licensing Section
Attorneys for the Colorado Medical Board
Inquiry Panel A
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 8th Floor
Denver, Colorado 80203
Telephone: 720-508-6407
FAX: (720) 508-6037
scott.bowman@coag.gov
*Counsel of Record

